REMARKS/ARGUMENTS

This reply is responsive to an Office Action mailed on April 3, 2007. Reconsideration and allowance of the application and presently pending claims 1-24 are respectfully requested.

Present Status of the Patent Application

Claims 1-24 remain pending in the present application. Claims 1-24 have been rejected. Claims 1, 7, 13, 19, and 21 have been amended.

Response to Claim Rejections Under 35 U.S.C. §102

Claims 1-4, 7-16, and 19-24 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Rubstein et al. (U.S. Patent Application Publication No. 2003/0061566). Applicant respectfully traverses this rejection.

For a proper rejection of a claim under 35 U.S.C. §102(b), the cited reference must disclose all elements/features/steps of the claim. See, e.g., *E.I. du Pont Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 USPQ2d 1129 (Fed. Cir. 1988).

The claimed invention enables the issuing and redeeming of gift certificates over a network in a safe and effective manner. The gift certificate is provided with a unique identifier when being issued. When the gift certificate is being redeemed, the merchant calls interactive voice response system. The identity of the merchant is initially validated. Upon completion of the validation of the merchant's identity, the merchant is prompted by the interactive voice response system to enter the unique identifier of the gift certificate. The interactive voice response system repeats the entered identifier and requests verification of the accuracy of the entered identifier from the merchant. Upon verification of the accuracy of the gift certificate identifier, the gift certificate identifier is

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checked regarding its ability to be redeemed. At least one of a plurality of codes is generated which corresponds to the redemption ability of the gift certificate and provided to the interactive voice response system. The interactive voice response system generates and transmits a selected voice message to the merchant in response to the at least one of the codes. One of the codes indicates that the certificate is not valid at the identified merchant.

None of the cited prior art references disclose, nor suggest, the invention as claimed. None of the cited prior art references discloses the claimed technique of receiving or validating the merchant's identity, verifying the accuracy of the entered certificate identifier, or generating codes to the interactive voice response system to cause it to generate selected voice messages for indicating, among other things, that the certificate is not valid at the identified merchant.

The distinguishing language of the claims will now be considered.

Independent Claim1

Independent claim 1, as amended, is allowable for at least the reason that Rubstein does not disclose, teach, or suggest any of the following:

1)   "receiving a merchant identification in response to a call from a caller to the interactive voice response system to redeem the certificate",

2)   "validating that the merchant identification is valid",

3)   "the interactive voice response system generating a voice message repeating the certificate identifier to the caller in response to the receipt of a message from the caller indicative of the certificate identifier",

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4) "the interactive voice response system generating a voice message requesting the caller to verify the repeated certificate identifier",

5) "generating at least one of a plurality of codes to the interactive voice response system regarding the validity of the certificate",

6) "the interactive voice response system generating a selected voice message and transmitting it to the caller in response to the generated at least one code", and

7) "one of the plurality of codes indicating that the certificate is not valid at the identified merchant"

1) "receiving a merchant identification in response to a call from a caller to the interactive voice response system to redeem the certificate"

Rubstein does not teach, suggest, or disclose "receiving a merchant identification in response to a call from a caller to the interactive voice response system to redeem the certificate." Rubstein merely discloses that "[t]he supplier will verify with the card vendor (e.g., ... via an automated telephone verification system whereby the supplier would key in the voucher number and card identification code using the telephone touch tone key pad) to authenticate the voucher number and/or card identification code so as to ensure that the gift has not already been redeemed by the recipient" at paragraph [0063]. The Rubstein patent does **not** disclose any attempt identify the supplier. Therefore, Rubstein does not disclose "receiving a merchant identification in response to a call from a caller to the interactive voice response system to redeem the certificate."

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2) "validating that the merchant identification is valid".

Rubstein does not teach, suggest, or disclose "validating that the merchant identification is valid." Rubstein merely discloses that "[t]he supplier will verify with the card vendor (e.g., ... via an automated telephone verification system whereby the supplier would key in the voucher number and card identification code using the telephone touch tone key pad) to authenticate the voucher number and/or card identification code so as to ensure that the gift has not already been redeemed by the recipient" at paragraph [0063]. The Rubstein patent does **not** disclose any attempt to validate the identity of the supplier. Therefore, Rubstein does not disclose "validating that the merchant identification is valid."

3) "the interactive voice response system generating a voice message repeating the certificate identifier to the caller in response to the receipt of a message from the caller indicative of the certificate identifier"

Rubstein does not teach, suggest, or disclose "the interactive voice response system generating a voice message repeating the certificate identifier to the caller in response to the receipt of a message from the caller indicative of the certificate identifier." Once again, Rubstein merely discloses that "[t]he supplier will verify with the card vendor (e.g., ... via an automated telephone verification system whereby the supplier would key in the voucher number and card identification code using the telephone touch tone key pad) to authenticate the voucher number and/or card identification code so as to ensure that the gift has not already been redeemed by the recipient" at paragraph [0063]. The Rubstein patent does **not** disclose generating a voice message to repeat either the voucher number or the card identification code back to the supplier. Therefore, Rubstein does not disclose "the interactive voice response system generating a voice message repeating the certificate identifier to the caller in response to the receipt of a message from the caller indicative of the certificate identifier."

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4) "the interactive voice response system generating a voice message requesting the caller to verify the repeated certificate identifier"

Rubstein does not teach, suggest, or disclose "the interactive voice response system generating a voice message requesting the caller to verify the repeated certificate identifier." Rubstein merely discloses that "[t]he supplier will verify with the card vendor (e.g., ... via an automated telephone verification system whereby the supplier would key in the voucher number and card identification code using the telephone touch tone key pad) to authenticate the voucher number and/or card identification code so as to ensure that the gift has not already been redeemed by the recipient" at paragraph [0063]. The Rubstein patent does **not** disclose any attempt to generate a voice message requesting the supplier to verify either the voucher number or the card identification code. Therefore, Rubstein does not disclose "the interactive voice response system generating a voice message requesting the caller to verify the repeated certificate identifier."

5) "generating at least one of a plurality of codes to the interactive voice response system regarding the validity of the certificate"

Rubstein does not teach, suggest, or disclose "generating at least one of a plurality of codes to the interactive voice response system regarding the validity of the certificate." Once again, Rubstein merely discloses that "[t]he supplier will verify with the card vendor (e.g., ... via an automated telephone verification system whereby the supplier would key in the voucher number and card identification code using the telephone touch tone key pad) to authenticate the voucher number and/or card identification code so as to ensure that the gift has not already been redeemed by the recipient" at paragraph [0063]. The Rubstein patent does **not** disclose generating a code to the automated telephone verification system regarding the validity of either the voucher number or the card identification code. Therefore, Rubstein does not disclose "generating at least one of a plurality of codes to the interactive voice response system regarding the validity of the certificate."

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6) "the interactive voice response system generating a selected voice message and transmitting it to the caller in response to the generated at least one code"

Rubstein does not teach, suggest, or disclose "the interactive voice response system generating a selected voice message and transmitting it to the caller in response to the generated at least one code." Rubstein merely discloses that "[t]he supplier will verify with the card vendor (e.g., ... via an automated telephone verification system whereby the supplier would key in the voucher number and card identification code using the telephone touch tone key pad) to authenticate the voucher number and/or card identification code so as to ensure that the gift has not already been redeemed by the recipient" at paragraph [0063]. The Rubstein patent does **not** disclose providing any message in response to a generated code. Therefore, Rubstein does not disclose "the interactive voice response system generating a selected voice message and transmitting it to the caller in response to the generated at least one code."

7) "one of the plurality of codes indicating that the certificate is not valid at the identified merchant"

Rubstein does not teach, suggest, or disclose "one of the plurality of codes indicating that the certificate is not valid at the identified merchant." Rubstein merely discloses that "[t]he supplier will verify with the card vendor ... to authenticate the voucher number and/or card identification code so as to ensure that the gift has not already been redeemed by the recipient" at paragraph [0063]. The Rubstein patent does **not** disclose any code or determination that the voucher should not be redeemed at the supplier contacting the card vendor for any other reason than the voucher had previously been redeemed, such as that the voucher was purchased for a different supplier. Therefore, Rubstein does not disclose "one of the plurality of codes indicating that the certificate is not valid at the identified merchant."

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Accordingly, the rejection is deficient in these areas. Notwithstanding, the undersigned has reviewed the entirety of the Rubstein patent and has failed to identify any such teachings anywhere within this reference. Accordingly, the Rubstein patent fails to teach or disclose the invention as defined by claim 1, and the rejection of claim 1 should be withdrawn.

Independent Claim 13

Independent claim 13 is allowable for at least the reasons described above regarding claim 1. Accordingly, the Rubstein patent fails to teach or disclose the invention as defined by claim 13, and the rejection of claim 13 should be withdrawn.

Response to Claim Rejections Under 35 U.S.C. §103

Claims 5, 6, 17, and 18 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Rubstein et al. in view of Soderlind et al. (U.S. Patent Application Publication No. 2002/0069123). Soderlind does not resolve the deficiencies of Rubstein as described above regarding claims 1 and 13. Claims 5-6 and 17-18 are allowable for at least the reason that these claims depend from allowable independent claims 1 and 13, respectively.

Dependent Claims

Dependent claims 2-12 and 14-24 are believed to be allowable for at least the reason that these claims depend from allowable independent claims 1 and 13, respectively. *In re Fine,* 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

CONCLUSION

The other cited art of record has been reviewed, and it is believed that the claims, as amended, patentably distinguish thereover.

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In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and rejections have been traversed, rendered moot, and/or accommodated, and that now pending claims 1-24 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned at 619-209-3063.
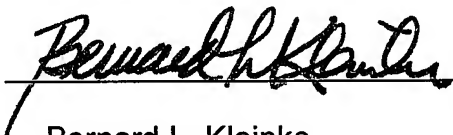
Please direct all correspondence to the undersigned attorney at the address indicated below.

Respectfully submitted,

Date: August 3, 2007

By: _____

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